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37 C.F.R. 1.8

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Date

*Senay J. Shalaby*  
Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Lydie Meheus  
Rhinhard Georg Lührmann  
Ann Union  
Joseph Raymackers

Group Art Unit: 1645

Examiner: Zeman R.A.

Atty. Dkt. No.: 11362.0011.DVUS01

Serial No.: 10/056,407

Filed: January 24, 2002

For: METHYLATED, SmD HOMOLOGOUS  
PEPTIDES, REACTIVE WITH THE  
ANTIBODIES FROM SERA OF LIVING  
BEINGS AFFECTED WITH SYSTEMIC  
LUPUS ERYTHEMATOSIS

STATEMENT AS REQUIRED UNDER 37 C.F.R. § 1.821(f)

**MAIL STOP SEQUENCE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith are a computer readable form and a paper copy of the substitute sequence listing of those sequences in the captioned patent application. The substitute computer readable form of the sequence listing is the same as the substitute paper copy of the sequence listing. The sequence information provided in the Specification is also the same as the sequence listing of the enclosed substitute computer readable and paper forms of the sequence listing.

In accordance with 37 C.F.R. § 1.821(g), it is herewith represented that no new matter is included with this submission.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Patricia A. Kammerer".

Patricia A. Kammerer  
Reg. No. 27,775  
Attorney for Assignee  
INNOGENETICS N.V.

Customer No.: 23369  
HOWREY LLP  
1111 Louisiana, 25<sup>th</sup> Floor  
Houston, Texas 77002-5424

Date: Aug 15, 2006



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,407	07/24/2002	Lydie Meheus	INNS:011-1 11362.0011.DVU	3304

23369 7590 08/01/2006

HOWREY LLP  
C/O IP DOCKETING DEPARTMENT  
2941 FAIRVIEW PARK DRIVE, SUITE 200  
FALLS CHURCH, VA 22042-7195

EXAMINER

ZEMAN, ROBERT A

ART UNIT

PAPER NUMBER

1645

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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HOWREY LLP



## UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO./CONTROL NO. <b>10/056,407</b>	FILED DATE <b>AUG 18 2006</b>	FIRST NAMED INVENTOR /PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10-056-407

EXAMINER

**Robert A. Zeman**

ART UNIT

PAPER

**1645**

DATE MAILED:

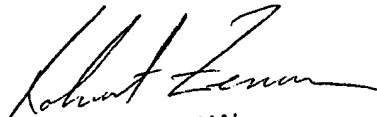
Please find below and/or attached an Office communication concerning this application or proceeding.

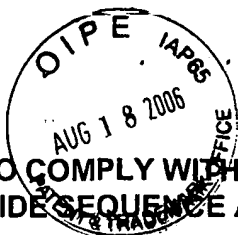
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 C.F.R. §§ 1.821-1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821-1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Robert A. Zeman** whose telephone number is (571) 272-0866.

  
ROBERT A. ZEMAN  
PRIMARY EXAMINER



Application No.: 10/056,407

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. . 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- ☒ 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- ☐ 2. This application does not contain, as a separate part of the disclosure on paper copy, a ☐ Sequence Listing ☐ as required by 37 C.F.R. 1.821(c).
- ☐ 3. A copy of the Sequence Listing in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- ☐ 4. A copy of the Sequence Listing in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up Raw Sequence Listing.
- ☐ 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- ☐ 6. The paper copy of the Sequence Listing is not the same as the computer readable from of the ☐ Sequence Listing ☐ as required by 37 C.F.R. 1.821(e).
- ☒ 7. Other: the sequence listing of record does not properly list all the prior applications and their filing dates. See MPEP 2424.02.

**Applicant Must Provide:**

- ☒ An initial or substitute computer readable form (CRF) copy of the Sequence Listing..
- ☒ An initial or substitute paper copy of the Sequence Listing, as well as an amendment directing its entry into the specification.
- ☒ A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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